

REMARKS

Applicants thank the Examiner for allowing claims 1-15 and indicating that claims 18-22 would be allowable if rewritten in independent from including the limitations of the base claims and any intervening claims.

Claim 1 has been amended simply to improve the language. Claims 18-20 have been re-written as independent claims.

The reason for allowance of claim 1 is that the “[p]rior art failed to establish light emitting diode with inorganic coating with the required fluorescence configuration.” See paragraph 3 of the Action. New claim 39 recites “an inorganic coating layer comprising a fluorescent substance and covering at least a surface of said light emitting device, said fluorescent substance absorbs at least a portion of light emitted by said light emitting device and emits light of a different wavelength.” Thus, the reason for allowance is incorporated in claim 39.

Claims 16 and 17 were rejected as being obvious over Komoto in view of Baillie. This rejection is respectfully traversed.

Claim 16, as amended, specifically recites, “A light emitting apparatus comprising: a supporting body; and adhesive layer, and a light emitting device comprising a gallium nitride-containing compound semiconductor layer, *in this order*,” while Komoto discloses an adhesive layer as “a first encapsulater provided *around* the light emitting element to cover it.” See paragraph [0011] of Komoto; emphasis added. Baillie does not fill this gap in Komoto, and even if it does, there is no suggestion in the prior art to locate the first encapsulater of Komoto *under* the light emitting element of Komoto, rather than around the light emitting element as disclosed in Komoto. One of the requirements to establish a *prima facie* case of obviousness is that “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” MPEP 2142. The combination of Komoto and Baillie fails to teach “supporting body; and adhesive layer, and a light emitting device comprising a gallium nitride-containing compound semiconductor layer, *in this order*” as recited in claim 16.

A Notice of Allowance is respectfully solicited.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **204552030000**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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